

**CRIMINAL PROCEEDINGS — U.S. DISTRICT COURT, EASTERN DISTRICT OF VIRGINIA: RICHMOND DIVISION**

JUDGE: ROBERT E. PAYNE

DOCKET NO. 3:22-CR-104

REPORTER: MELISSA CUSTIS, OCR

DATE: DECEMBER 8, 2022

**SENTENCING**

UNITED STATES OF AMERICA

COUNSEL

v.

COREY BRANCH

WAYNE BARRY MONTGOMERY

**APPEARANCES:** GOVERNMENT ANGELA MASTANDREA-MILLER ( ✓ )  
DEFENDANT WITH COUNSEL ( ✓ ) DEFENDANT WITHOUT COUNSEL ( )  
DEFENDANT NOT PRESENT ( ) WAIVER OF APPEARANCE FILED ( )  
INTERPRETER \_\_\_\_\_ ( )

BAIL STATUS OF DEFENDANT: ON BOND ( ) INCARCERATED ( ✓ )

( ) Criminal Information

**SENTENCING ON COUNT(S):** ONE ( ✓ ) Indictment ( ) Superseding Indictment

**PRELIMINARY MATTERS:** ARGUMENTS HEARD ON DEFENDANT'S MOTION FOR VARIANCE

SENTENCE (ECF 29) – MOTION DENIED

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**OBJECTIONS TO PSR:** NONE; ACCEPTED & ADOPTED, FILED AS TENDERED – UNDER SEAL

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**STATEMENTS MADE BY:** GOVERNMENT ( ✓ ) DEFENSE COUNSEL ( ✓ ) DEFENDANT ( ✓ )

**ON MOTION OF GOVERNMENT:** ( ) INDICTMENT DISMISSED.  
( ) REMAINING COUNTS DISMISSED.

**DEFENDANT TO VOLUNTARILY REPORT TO DESIGNATED INSTITUTION**

ON: \_\_\_\_\_ BY: \_\_\_\_\_ A.M. / P.M.  
( ) IF NO DESIGNATION MADE, REPORT TO U.S. MARSHAL IN RICHMOND

DEFENDANT ADVISED OF RIGHT OF APPEAL within 14 days of today ( ✓ )

DEFENDANT REMANDED TO CUSTODY ( ✓ )

CASE SET: 2:30 P.M. BEGAN: 2:24 P.M. ENDED: 2:55 P.M. TIME IN COURT: 31 MINS.

CJA TIME: 31 MINS.

**PAGE TWO (2)**

**SENTENCE TEXT**

**COUNT ONE** IMPRISONMENT 9 \* MOS. CONCURRENT(  ) CONSECUTIVE(  )  
\* shall run consecutively to term imposed in 2:16-cr-165  
CREDIT FOR TIME SERVED ON THIS CHARGE(  )

SUPERVISED RELEASE 3 YEAR(S)  
\* shall run concurrently to term imposed in 2:16-cr-165  
PROBATION \_\_\_\_\_ YEAR(S)

FINE \$ \_\_\_\_\_ (  ) Fine not imposed

SPECIAL ASSESSMENT \$ 100.00 due immediately

**COUNT \_\_\_\_\_** IMPRISONMENT \_\_\_\_\_ MOS. CONCURRENT(  ) CONSECUTIVE(  )

SUPERVISED RELEASE \_\_\_\_\_ YEAR(S) CONCURRENT(  )

PROBATION \_\_\_\_\_ YEAR(S) CONCURRENT(  )

FINE \$ \_\_\_\_\_ (  ) Fine not imposed

SPECIAL ASSESSMENT \$ \_\_\_\_\_ due immediately

**COUNT \_\_\_\_\_** IMPRISONMENT \_\_\_\_\_ MOS. CONCURRENT(  ) CONSECUTIVE(  )

SUPERVISED RELEASE \_\_\_\_\_ YEAR(S) CONCURRENT(  )

PROBATION \_\_\_\_\_ YEAR(S) CONCURRENT(  )

FINE \$ \_\_\_\_\_ (  ) Fine not imposed

SPECIAL ASSESSMENT \$ \_\_\_\_\_ due immediately

**CONSENT ORDER OF FORFEITURE MADE A PART OF JUDGMENT IN CASE (  )**

**RESTITUTION ORDERED:** \_\_\_\_\_

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**RECOMMENDATION(S) TO BOP:**

(  ) Designate defendant to a facility near family (  ) Designate defendant to \_\_\_\_\_ FCI  
(  ) SHOCK Incarceration Program (  ) BRAVE Program  
(  ) Educational / Vocational training (  ) BOP 500-hr intensive drug treatment program  
(  ) UNICOR program (  ) with \_\_\_\_\_ portion of earnings directed to child support  
(  ) OTHER: \_\_\_\_\_

**PAGE THREE (3)****SPECIAL CONDITIONS of Probation / Supervised Release:**

(1) Incur no new credit without approval of probation officer  
 (2) Provide probation officer with access to financial information  
 (3) Perform community service \_\_\_\_\_ HOURS during period of supervision  
 (4) Participate in drug/alcohol treatment; \_\_\_\_\_ Pay cost of treatment  
 (5) Participate in mental health treatment; \_\_\_\_\_ Pay cost of treatment  
 (6) Participate in anger management  
 (7) Placement in a Community Confinement Center for \_\_\_\_\_ (term)  
 (8) Defendant to be surrendered to BICE for deportation proceedings  
 (9) If deported, defendant to remain outside the United States  
 (10) Mandatory drug testing waived  
 (11) Pay child support in amount ordered by social services or Court  
 (12) Serve intermittent confinement on weekends for a period of \_\_\_\_\_ DAYS  
 (13) No possession of pager, cellular telephone, or other handheld communication device  
 (14) Defendant shall pay any balance owed on the S/A imposed by the Court  
 (15) Pay in installments of not less than \$ 25.00 per month [ \_\_\_\_\_ or 25% of gross monthly income, whichever is greater] to begin 60 days after start of supervision until paid in full  
 (16) Waive all rights of confidentiality regarding mental health treatment  
 (17) Commencing \_\_\_\_\_, and continuing for \_\_\_\_\_, defendant may operate a motor vehicle only for purposes of work and court, including travel to the Probation Office and alcohol treatment program  
 (18) Defendant to apply monies received from tax refunds, lottery winnings, settlements, and any anticipated or unexpected financial gains to the Court-ordered financial obligation

(---) Other special conditions:

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